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Letter dated 31 May 2002 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to enclose herewith the text of the declaration on the situation on the part of the northern border of the Republic of Macedonia with the Federal Republic of Yugoslavia, adopted by the Assembly of the Republic of Macedonia at its session held on 29 May 2002, concerning the recent adoption of the resolution by the Kosovo Provisional Assembly of 23 May 2002, rejecting the border agreement between the Republic of Macedonia and the Federal Republic of Yugoslavia (see annex).

I would appreciate it if the present letter and its annex were to be circulated as a document of the Security Council.

(*Signed*) Srgjan **Kerim**
Ambassador
Permanent Representative

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Annex to the letter dated 31 May 2002 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the President of the Security Council

Pursuant to article 68, paragraph 2, of the Constitution of the Republic of Macedonia, the Assembly of the Republic of Macedonia, at its session held on 29 May 2002, having considered the text of the resolution of the Kosovo Assembly of 23 May 2002, has adopted the following

Declaration on the situation on the part of the northern border of the Republic of Macedonia with the Federal Republic of Yugoslavia

1. The Assembly reaffirms that the borders of the Republic of Macedonia with all neighbouring countries are clearly defined, confirmed by valid bilateral agreements, and that there are no disputable matters raised by any of the neighbouring States in that regard.

2. The Assembly considers that the issue of validity of the section of the northern border with Kosovo by the entity which is an international protectorate under United Nations administration, that is to say a representative body of the provisional self-governing institutions in Kosovo raised on 23 May 2002, is an issue raising the inter-State relations by an entity without internationally recognized legal personality.

3. The Assembly of the Republic of Macedonia notes with regret that the provisional Kosovo Assembly, instead of addressing the development of democratic institutions in Kosovo based on the clearly defined powers, in accordance with the United Nations Security Council resolution 1244 (1999), pursues a debate and makes decisions on the issues of international character for which it has no competence.

4. The Assembly underscores that the Border Agreement between the Republic of Macedonia and the Federal Republic of Yugoslavia has been ratified by Parliaments of the two States, supported by all relevant international structures and recognized by the United Nations, the Kosovo Protectorate being under its jurisdiction.

5. The Assembly of the Republic of Macedonia strongly rejects the aforementioned resolution of the representative body of the provisional self-governing institutions in Kosovo as a deliberate act against the process of the implementation of the Framework Agreement and an attempt to create basic preconditions for future revision of the borders.

At the same time, the Assembly stresses that this act constitutes interference in the internal affairs of the Republic of Macedonia and an attempt to justify the Kosovo involvement hitherto in the armed terrorist and other violent acts in Macedonia, as well as any potential use of violence in the region in the future.

6. For the purpose of supporting the stability in the region, the Assembly proposes that the international organizations and institutions, first of all the Organization for Security and Cooperation in Europe (OSCE), the North Atlantic

Treaty Organization (NATO), the Council of Europe and others, condemn the adoption of this resolution as running counter to the principle of inviolability of borders of the OSCE and of all other international factors.

7. Starting from the principle of good-neighbourly cooperation, for which the preconditions are stability and inviolability of the borders, the Assembly requests all neighbouring States to deplore the adoption of the aforementioned resolution, which runs counter to the principles of international law.

8. The Assembly fully supports the clear commitment of the United Nations Security Council of 22 May 2002, which reaffirms the United Nations position that the Border Agreement between the Republic of Macedonia and the Federal Republic of Yugoslavia must be respected, and, in that regard, supports the efforts of the Special Representative of the United Nations Secretary-General to Kosovo.

9. The Assembly welcomes the decision of Mr. Michael Steiner, Special Representative of the Secretary-General to Kosovo, to declare "the Resolution on Protection of the Territorial Integrity of Kosovo" null and void, in line with his competencies deriving from the Security Council resolution 1244 (1999). With this act, all legal consequences related to the adoption of the aforementioned resolution shall be null and void.

10. The Assembly fully supports the position of the Presidency of the European Union, which expresses its concern about the situation and urges the members of the Kosovo Assembly to respect Security Council resolution 1244 (1999) and the constitutional framework for provisional self-government and to discharge their duties accordingly.

11. The Assembly tasks the Government of the Republic of Macedonia and the Ministry of Foreign Affairs to present the requests contained in this declaration to the international institutions, to follow the situation on the northern border and to keep the Assembly informed.

12. The present declaration shall be submitted to the President of the Republic of Macedonia, the Government of the Republic of Macedonia, the United Nations, the Security Council, the Secretary-General of the United Nations, as well as to all mentioned relevant international factors in the country and abroad.

13. The declaration shall be published in the "Official Gazette of the Republic of Macedonia".

Assembly of the Republic of Macedonia

President of the Assembly
of the Republic of Macedonia
Stojan **Andov**